

procedures contained in appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure map to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of a noise exposure map. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted the map, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under § 150.21 or FAR part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Westover Metropolitan Airport/Air Reserve Base, also effective on July 31, 1995. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before January 27, 1996. The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, § 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with

specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure map, the FAA's evaluation of the map, and the proposed noise compatibility program are available for examination at the following locations:

Westover Metropolitan Airport, 3911 Pendleton Avenue, Chicopee, Massachusetts 01022  
Federal Aviation Administration, New England Region, Airports Division, ANE-600, 12 New England Executive Park, Burlington, Massachusetts 01803.

Questions may be directed to the individual named above under the heading: **FOR FURTHER INFORMATION CONTACT.**

Issued in Burlington, Massachusetts on July 31, 1995.

**Vincent A. Scarano,**  
Manager, Airports Division, New England Region.

[FR Doc. 95-19908 Filed 8-10-95; 8:45 am]

BILLING CODE 4910-13-M

### Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Monthly notice of PFC approvals and disapprovals. In July 1995, there were six applications approved. Additionally, four approved amendments to previously approved applications are listed.

**SUMMARY:** The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of 49 U.S.C. 40117 (Pub. L. 103-272) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of § 158.29.

### PFC Applications Approved

**Public Agency:** City of Chicago, Department of Aviation, Chicago, Illinois.

**Application Number:** 95-03-C-00-MDW.

**Application Type:** Impose and use PFC revenue.

**PFC Level:** \$3.00.

**Total Approved Net PFC Revenue:** \$11,916,250.

**Charge Effective Date:** August 1, 1998.

**Estimated Charge Expiration Date:** March 1, 2000.

**Class of Air Carriers not Required to Collect PFC's:** Air taxi operators.

**Determination:** Approved. Based on information contained in the public

agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Midway Airport.

**Brief Description of Projects Approved for Use:** Runway 13L/31R rehabilitation, Landside pavement replacement.

**Brief Description of Projects Approved for Collection and Use:** Midway terminal development planning/design, Airfield lighting control panel, Land acquisition, parcels 50, 57, 64, 65, 66, 68, 70, and 71, Update Part 150, Demonstration home soundproofing.

**Brief Description of Project Approved for Collection:** Runway 4R/22L reconstruction.

**Brief Description of Disapproved Project:** Runway arrestment system.

**Determination:** Disapproved. The FAA has determined the runway arrestment system project is ineligible for Airport Improvement Program (AIP) funding as per FAA Order 5100.38A, paragraph 521(a). The proposed development is not consistent with FAA design and engineering standards. Accordingly, the FAA has determined that this project does not meet the requirements of § 158.15(b)(1).

**Decision Date:** July 5, 1995.

### FOR FURTHER INFORMATION CONTACT:

Louis H. Yates, Chicago Airports District Office, (708) 294-7335.

**Public Agency:** City of Syracuse, New York.

**Application Number:** 95-01-C-00-SYR.

**Application Type:** Impose and use PFC revenue.

**PFC Level:** \$3.00.

**Total Approved Net PFC Revenue:** \$9,699,050.

**Charge Effective Date:** October 1, 1995.

**Estimated Charge Expiration Date:** October 1, 1998.

**Class of Air Carriers Not Required to Collect PFC's:** Air taxi/commercial operators filing FAA Form 1800-31.

**Determination:** Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Syracuse Hancock International Airport.

**Brief Description of Projects Approved for Collection and Use:** Terminal area deicing collection and concrete parking pads, Relocate taxiway H west and widen taxiways J and H east.

**Brief Description of Project Approved for Collection:** Land acquisition for parallel runway 10L/28R.

**Decision Date:** July 20, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Philip Brito, New York Airports District Office, (516) 295-9340.

*Public Agency:* Port of San Diego, San Diego, California.

*Application Number:* 95-01-C-00-SAN.

*Application Type:* Impose and use PFC revenue.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue:* \$108,176,000.

*Charge Effective Date:* October 1, 1995.

*Estimated Charge Expiration Date:* January 1, 2001.

*Class of Air Carriers not Required to Collect PFC's:* Part 135 air taxis.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at San Diego International Airport, Lindbergh Field.

*Brief Description of Projects Approved for Collection and Use:* Expand west terminal, Expand aircraft apron, Modify airport roadways, School sound attenuation, Construct overnight apron, Upgrade heating, ventilating, and air conditioning in east and west terminals.

*Brief Description of Projects Approved for Collection:* East terminal addition, Second level roadway, East terminal expansion, Demolish lease buildings, USAir, Replace airport fire station.

*Brief Description of Disapproved Projects:* Expand west terminal.

*Determination:* Disapproved. The Port, in its response to carriers' disagreements on this project, makes several statements which raise concerns about the justification and feasibility of this project. Specifically, the Port states that "the addition of gates on the NTC [Naval Training Center] side of the concourse \* \* \* would only be pursued based on the needs of the airlines and if the NTC land is made available." The carriers had also questioned whether there was sufficient airfield capacity to accommodate the additional traffic which would use these additional gates. The Port responded by stating that "airfield capacity simulation modeling will be pursued in the planning of the project \* \* \*." The FAA has concluded that the Port's request for collection authority for this project is premature because of the Port's stated uncertainties and disapproved the project.

Construct NTC apron.

*Determination:* Disapproved. The project justification provided by the Port for this project states that the apron project is necessary to support the west terminal expansion project, which was

also disapproved. This project is not justified as a stand-alone project.

Therefore, this project is being disapproved at this time.

Modify NTC roadways.

*Determination:* Disapproved. The project justification provided by the Port for this project states that the roadways are necessary to support the west terminal expansion project, which was also disapproved. This project is not justified as a stand-alone project. Therefore, this project is being disapproved at this time.

*Decision Date:* July 26, 1995.

**FOR FURTHER INFORMATION CONTACT:** John Milligan, Western Pacific Region Airports Division Office, (310) 725-3621.

*Public Agency:* State of New York—Department of Transportation, Newburgh, New York.

*Application Number:* 95-01-C-00-SWF.

*Application Type:* Impose and use PFC revenue.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue:* \$12,541,999.

*Charge Effective Date:* November 1, 1995.

*Estimated Charge Expiration Date:* July 1, 2007.

*Class of Air Carriers not Required to Collect PFC's:* Unscheduled air taxi operators operating under Part 135.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Stewart International Airport.

*Brief Description of Projects Approved for Collection and Use of PFC Revenue:* Twin dozer plow with truck, Four snow brooms with prime movers, Vacuum sweeper, airfield, Terminal building expansion, Replace southwest quadrant fuel farm, Runway 16 approach protection, phases I and II, Security access control system, Part 107, Phase III, cargo ramp expansion, Storm water management study, Field lighting control vault, Taxiway C relocation and removal of portion of Tower Hill, South cargo development, phase I, Two roll-over plows with sanders and trucks, Twenty-four foot plow truck, Snow broom, 4,000 gallon runway deicing truck, 4,000 ton per hour snow blowers (2), Partial parallel taxiway, runway 16/34—phase II—removal of a portion of Tower Hill, Northeast quadrant phase III ramp, Runway 16 approach protection, phase III, Rehabilitate First Street, 6,000 foot fence along NY State Route 17K, Rehabilitate perimeter road, Snow

brooms (2), 19 foot plows with trucks (2), 19 foot plows with trucks (2).

*Brief Description of Project Approved for Collection:* Tower Hill obstruction removal.

*Brief Description of Disapproved Project:* Demolition of Hangar E.

*Determination:* Disapproved. This project has been determined to be ineligible under AIP criteria in accordance with paragraph 592 of FAA Order 5100.38A. Accordingly, the project is disapproved for the collection and use of PFC revenue.

*Decision Date:* July 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Philip Brito, New York Airports District Office, (516) 295-9340.

*Public Agency:* Jackson County Airport Authority, Medford, Oregon.

*Application Number:* 95-03-C-MFR.

*Application Type:* Impose and use PFC revenue.

*PFC Level:* \$3.00.

*Total Approved Net PFC Revenue:* \$2,616,349.

*Charge Effective Date:* November 1, 1995.

*Estimated Charge Expiration Date:* November 1, 2000.

*Class of Air Carriers not Required to Collect PFC's:* Air taxi operators.

*Determination:* Approved. Based on information submitted in the public agency's application, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at Rogue Valley International Airport.

*Brief Description of Projects Approved for Collection and Use:* Acquire passenger lift device, Ground level loading bridge with covered walkway, Rehabilitate air carrier ramp.

*Decision Date:* July 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Jerry Trujillo, Seattle Airports District Office, (206) 227-2629.

*Public Agency:* Port Authority of New York and New Jersey, New York, New York.

*Application Numbers:* 95-02-C-00-EWR; 95-02-C-00-JFK; 95-02-C-00-LGA.

*Application Type:* Impose and use PFC revenue.

*PFC Level:* \$3.00 (at each airport).

*Total Approved Net PFC Revenue to be Collected at Newark International Airport (EWR):* \$255,015,000.

*Total Approved Net PFC Revenue to be Collected at John F. Kennedy International Airport (JFK):* \$226,395,000.

*Total Approved Net PFC Revenue to be Collected at Laguardia Airport (LGA):* \$193,590,000.

*Charge Effective Date:* October 1, 1995 (at each airport).

*Estimated Charge Expiration Date:* January 1, 2001 (at each airport).

*Class of Air Carriers not Required to Collect PFC'S:* Part 298 Air taxis, with the exception of commuter air carriers.

*Determination:* Approved. Based on information submitted in the public agency's applications, the FAA has determined that the proposed class accounts for less than 1 percent of the total annual enplanements at each airport. Although the Port Authority proposed the same class at each airport, the members of the class are different at each airport. Carriers should review the specific application or consult with the Port Authority to determine if they are

members of the class excluded from PFC collection at either EWR, JFK, or LGA.

*Brief Description of Project Approved for Use of PFC Revenue:* EWR monorail.

*Brief Description of Project Approved for Collection and use:* EWR landside access project—phase 1A.

*Brief Description of Project Approved for Collection:* EWR ground access monorail-Northeast Corridor connection, Automated guideway transit (AGT) system—Howard Beach component.

*Brief Description of Disapproved Project:* AGT system—LGA on-airport component.

*Determination:* Disapproved. The Port Authority's justification for this project is entirely dependent on the

construction of the entire AGT system. Completion of the entire system appears to be uncertain at this time. The Port Authority has not provided information showing that this project has independent utility as a separate on-airport system. Therefore, the FAA has determined that the LGA on-airport component does not meet the requirements of § 158.15(a) or (b), nor has the Port Authority provided adequate justification for the project as a stand-alone project as currently proposed.

*Decision Date:* July 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Philip Brito, New York Airports District Office, (516) 295-9340.

#### AMENDMENTS TO PFC APPROVALS

Amendment No., city, state	Amendment approved date	Amended approved net PFC revenue	Original approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
93-01-C-ORD, Chicago, IL. ....	07/07/95	\$481,806,170	\$531,187,544	10/01/99	09/01/98
94-01-C-CVG, Covington, KY. ....	07/07/95	23,847,550	\$20,737,000	09/01/95	10/01/95
94-01-C-ILE, Killeen, TX. ....	06/09/95	321,200	321,200	05/01/97	05/01/97
93-01-C-PSC, Pasco, WA. ....	07/10/95	1,725,724	1,230,731	11/01/96	09/01/97

Issued in Washington, DC on August 4, 1995.

**Sheryl Scarborough,**

*Acting Manager, Passenger Facility Charge Branch.*

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BILLING CODE 4910-13-M

#### National Highway Traffic Safety Administration

[Docket No. 93-93; Notice 2]

#### Century Products Co. Grant of Petition for Determination of Inconsequential Noncompliance

Century Products Company (Century) of Macedonia, Ohio, determined that some of its child safety seats failed to comply with the flammability requirements of 49 CFR 571.213, "Child Restraint Systems," Federal Motor Vehicle Safety Standard (FMVSS) No. 213, and filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Century also petitioned to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301 (formerly the National Traffic and Motor Vehicle Safety Act) on the basis that the noncompliance is inconsequential as it relates to motor vehicle safety.

Notice of receipt of the petition was published on December 29, 1993, and an opportunity afforded for comment

(58 FR 68985). No comments were received. This notice grants the petition.

Paragraph S5.7 of FMVSS No. 213 states that "[e]ach material used in a child restraint system shall conform to the requirements of S4 of FMVSS No. 302 (Flammability of Interior Materials) (571.302)." Paragraph S4.3(a) of FMVSS No. 302 states that "[w]hen tested in accordance with S5, material described in S4.1 and S4.2 shall not burn, nor transmit a flame front across its surface, at a rate of more than 4 inches per minute." Paragraph S4.2.1 of FMVSS No. 302 states that "[a]ny material that does not adhere to other material(s) at every point of contact shall meet the requirements of S4.3 when tested separately."

From December 1991 to May 1993, Century manufactured and sold 192,824 Model 4594 and 4595 child safety seats that did not comply with the flammability requirements of FMVSS No. 213. On June 7, 1993, NHTSA informed Century that, when its Model 4595 child safety seat was tested by a NHTSA contractor, the fabric seat cover failed to meet the Standard No. 213 flammability requirements (Century's Model 4594 has the same construction as its Model 4595). The contractor tested six samples of the seat covers, yielding burn rates of between 6.3 and 7.6 inches per minute.

The seats in question are constructed of fabric, fiberfill, and backing. The covers on these seats are formed by

sewing three sections together: The left side, the right side, and the center. Each section is fully sewn around its perimeter and the three sections are sewn together. The entire perimeter of the cover is then permanently and completely sewn together with an overlock to assure that the layers are securely attached. There is additional stitching surrounding the buckle openings and belt loop areas. Because of the construction of the seats, Century decided that testing the fabric, fiberfill, and backing together (composite testing) would be appropriate. However, Century subsequently agreed that the exterior material of the seat cover "does not adhere to other material(s) at every point of contact," and that therefore, pursuant to Paragraph S4.2.1 of FMVSS No. 302, the seat covers are "required to meet the requirements of S4.3 when tested separately."

Century supported its petition for an exemption from the recall requirements of the statute with the following arguments and also submitted test reports. All of these submissions are available for review in the NHTSA docket.

Under FMVSS No. 213, Section S5.7, "each material used in a child restraint system shall conform to the requirements of S4 of FMVSS No. 302." 49 CFR 571.213 S5.7 (1992). FMVSS No. 302 sets the standard for the flammability of materials used in the interior of motor vehicles. The purpose of FMVSS No. 302 is to "reduce the deaths and injuries